

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS-EASTERN DIVISION

SPENTA INDUSTRIES, LTD., and)
HOSHANG R. KARANI,)
Plaintiffs,)
v.)
CHIZUCO COLEMAN and ROBERT)
COLEMAN,)
Defendants.)
)
No. 08 C 495
)
Judge Gettleman
Magistrate Judge Cole

**MOTION FOR ENLARGEMENT OF TIME
TO ANSWER OR OTHERWISE PLEAD TO PLAINTIFFS' COMPLAINT**

NOW COMES the Defendants, **CHIZUCO COLEMAN** and **ROBERT COLEMAN**, by and through their attorneys, **David A. Kaufman and Associates**, and **Jeremy Kramer, Esq.**, and moves this court for entry of an enlargement of time to file their responsive pleading to the Plaintiffs' complaint. In support whereof, the Defendants state as follows:

1. The Defendants, who resided in Wisconsin, were served with a copy of the Summons and Complaint on Saturday, January 26, 2008. As such, Defendants responsive pleading is due on or before February 15, 2008.
2. Defendant's counsel has recently been retained to represent Defendants in this matter.
3. On February 15, 2008, Defendant's counsel timely filed his appearance on behalf of Defendants.
4. The Plaintiffs' multi count complaint encompasses 35 pages and includes 158 separately numbered allegations covering nine separate counts.
5. Defendants respectfully seek and request an additional 35 days, until March 21, 2008, to answer or otherwise plead to the Plaintiffs' complaint.
6. On February 9, 2008, Defendant's counsel, David Kaufman, Esq. conducted a teleconference with Plaintiff's counsel, Ralph C. Hardesty, Esq., who indicated

that he would have no objection to a 35 day enlargement of time for Defendants to answer or otherwise plead to the complaint.

7. Neither party will be prejudiced by a granting of this motion.
8. Additionally, the ends of justice will be promoted by allowing newly engaged counsel for the Defendants with sufficient time to properly respond to the pending Complaint.
9. The instant motion has been timely filed within the initial 20 day period for Defendants to file their answer and appearance.
10. Attached hereto as **Exhibit “A”** is a proposed order.

WHEREFORE, the Defendants, **CHIZUCO COLEMAN and ROBERT COLEMAN**, by and through their attorneys, respectfully request that this honorable court grant Defendants motion and enter an order which sets forth the following relief:

- (1) Granting the Defendants an additional 35 days, until March 21, 2008, to answer or otherwise plead to the Plaintiffs' complaint; and
- (2) For any such further relief that this court deems appropriate, just and equitable.

**CHIZUCO COLEMAN and
ROBERT COLEMAN, Defendants,**

/s/ David Kaufman
By: _____
One of their attorneys

David A. Kaufman, Esq. (ARDC # 6195977)
Jeremy Kramer, Esq., of counsel (ARDC #6237482)
David A. Kaufman and Associates
Counsel for Defendants
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Northbrook, Illinois 60062-2845
Phone 847-480-1020
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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS-EASTERN DIVISION**

ORDER

THIS CAUSE coming to be heard upon Defendants' Motion for Enlargement of Time to Answer or Otherwise Plead to Plaintiffs' Complaint, all parties being duly noticed, and this court being fully advised in the premises,

IT IS HEREBY ORDERED:

(1) Defendants Chizuco Coleman and Robert Coleman are granted an additional 35 days, until March 21, 2007, to answer or otherwise plead to the Plaintiffs' complaint.

Dated this ____ day of February, 2008

ENTERED:

Judge Robert C. Gettlemen

This Order Prepared by:

David A. Kaufman, Esq. (ARDC # 6195977)

Jeremy Kramer, Esq., of counsel (ARDC #6237482)

David A. Kaufman and Associates

Counsel for Defendants

555 Skokie Boulevard-Suite 500

Northbrook, Illinois 60062-2845

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CERTIFICATE OF SERVICE

I, David A. Kaufman, an attorney, do hereby certify that the following parties were served with copies of Defendants *Appearance*, *Notice of Motion* and *Motion for Enlargement of Time to Answer or Otherwise Plead to Plaintiffs' Complaint* electronically pursuant to ECF as to Filing Users to :

Ralph C. Hardesty, Esq.
Hardesty & Associates
55 West Monroe Street, Suite 3720
Chicago, IL 60603

and that a copy was also mailed via first class mail with proper postage prepaid to the following parties before the hour of 5:00 p.m. on February 15, 2008:

/s/ David Kaufman

David Kaufman, Esq.

**David A. Kaufman, Esq. (ARDC # 6195977)
Jeremy Kramer, Esq., of counsel (ARDC #6237482)
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